

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking into the operation of interruptible load programs offered by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company and the effect of these programs on energy prices, other demand responsiveness programs, and the reliability of the electric system.

Rulemaking 00-10-002
(Filed October 5, 2000)

Phase 2

**ADMINISTRATIVE LAW JUDGE'S RULING
ON MOTION OF
CALIFORNIA ASSOCIATION OF HEALTH FACILITIES
FOR PARTY STATUS**

On March 28, 2002, the California Association of Health Facilities (CAHF) moved for party status in Phase 2. On March 29, 2002, a response was served by Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company. Utilities neither support nor oppose CAHF's motion, but oppose any delay in issuing the final decision.

CAHF is a party in Phase 1. CAHF states that its interest in Phase 2 is on the issue of including skilled nursing facilities in essential customer Category C. CAHF says its intervention will neither expand the scope of the proceeding, nor delay the schedule. CAHF argues that denial of its motion would exclude "additional evidence as to why skilled nursing facilities should be classified as an 'essential services' customer," and that CAHF's intervention "will allow the Commission access to critical information necessary for it to make a

determination about which entities should be among the future list of ‘essential customers.’” (Motion, pages 3 - 4.)

Utilities respond that the Phase 2 record now includes evidence on the issue of including skilled nursing facilities in essential customer Category C and that there is no pending pleading to reopen the Phase 2 record for more evidence. Utilities correctly point out that comments on the draft decision may not include new evidence. (Rule 77.3 of the Commission’s Rules of Practice and Procedure.)

There is no known opposition to granting CAHF’s motion. CAHF’s motion is reasonable and is granted.

IT IS RULED that the March 28, 2002 motion of California Association of Health Facilities is granted. Process Office shall add the following appearance to the Phase 2 service list:

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Dated March 29, 2002, at San Francisco, California.

/s/ BURTON W. MATTSON

Burton W. Mattson
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by regular mail and by electronic mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Motion of California Association of Health Facilities for Party Status on all Phase 2 parties of record in this proceeding or their attorneys of record.

Dated March 29, 2002, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.